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Law Center PC, on their Motions for Allowance
Payment of Administrative Claims*

UNITED STATES BANKRUPTCY COURT
OF THE CENTRAL DISTRICT OF CALIFORNIA—SANTA ANA DIV.

In re
**LITIGATION
PRACTICE
GROUP, PC**

Bankruptcy Case No. 8:23-bk-10571-SC
Chapter 11

Debtor.

(1) OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24 AND SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION, (WHEN TRUSTEE'S "STATUS REPORT" TO MOTION MAKES BLATANT FALSEHOODS REGARDING HAN AND JAYDE);

(2) REQUEST THAT COURT VACATE COURT'S 1/8/24 [DKT.818] ORDER, AS GRANTED PREMATURELY;
(3) REQUEST THAT COURT RE-DECIDE TRUSTEE'S MOTION, IN LIGHT OF THIS PLEADING, OPPOSING TRUSTEE'S MOTION: AND

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** **i**

**(4) REQUEST THAT COURT STRIKE TRUSTEE'S
"STATUS REPORT" [Dkt.815, FILED 1/5/24, WHICH STATES
IT IS FOR HEARING ON 1/19/24 AT 11:00AM, AS AN
UNAUTHORIZED PLEADING, WITH NO ADMISSIBLE
EVIDENCE;**

**DECLS OF HAN TRINH, PHUONG (AKA JAYDE)
TRINH, & K.P. MARCH DECL. IN SUPPORT OF THIS
OBJECTION/OPPOSITION**

NOTE that Trustee Listed Hearing date of Trustee's Motion
[dkt.816] as 1/19/24 at 11:00am, and that hearing date on Han, Jayde, & Greysen Administrative Claims Motions, was also set for
1/19/24 at 11:00m pursuant to this Court's 10/16/23 Order [dkt.577]
sets deadline of 11/21/23 for filing Motions for Allowance &
Payment of Administrative Claims, and orders Trustee to serve an
attached Notice of Administrative Claims Bar Date [dk.596 served
10/23/23], which Notice, p.4, Orders Administrative Claims
Motions to be set for hearing on 1/19/24 at 11am, with Responses to
such Motions due 14 days before hearing date, and with Replies due
7 days before 1/19/24 hearing date.

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** **ii**

NOTICE OF MOTION

TO CHAPTER 11 TRUSTEE MARSHACK AND TO HIS ATTORNEYS OF RECORD,
TO DEBTOR LPG, AND ITS ATTORNEYS OF RECORD, TO US TRUSTEE'S OFFICE, AND
TO ALL ADDITIONAL PARTIES ON COURT'S E-SERVE LIST:

Please take Notice that Administrative Claimants Han Trinh, Phuong (aka Jayde) Trinh, and Greyson Law Center PC file this Objection, and Opposition, and hereby request the Bankruptcy Court to vacate, and then redecide Court's dkt.818, 1/8/24 at 6pm Order, as having been prematurely granted, before these administrative claimants had time to file OPPOSITION to Trustee Marshack's Motion [dkt816, filed Friday evening, 1/5/24, and which stated it was set for hearing on 1/19/24].

Opposition to Han, Jayde's and Greyson's herein Motion should be filed promptly, or at such date as Court orders.

Dated: January 9, 2024

THE BANKRUPTCY LAW FIRM PC

____/s/ Kathleen P. March

By Kathleen P. March, Esq., counsel for Han Trinh.

By Hammie P. March, Esq., Counsel for Han Trinh,
Jayde Trinh, and Greysen Law Center PC on their administrative claim motions

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** **iii**

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23 | **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 | **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
25 | **WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION**
26 | **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT
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**MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF RELIEF
HERE REQUESTED**

(1) Administrative Claimants Han Trinh [dkt 674 M. for admin. claim],
Phuong (aka Jayde) Trinh [dkt675 M. for admin. claim] and Greyson Law Center PC,
[dkt.676 M. for admin. claim] hereby **OBJECT** that it was serious procedural error
for this Court, on Monday 1/8/24 at 6:05pm, to enter Order [dkt.818] granting Trustee
Marshack's Motion [dkt.816, which Trustee filed at 5pm on Friday, 1/5/24, and **which**
Motion states the Motion is set for hearing on 1/19/24] without giving Han, Jayde
and Greyson time to file OPPOSITION to Trustee's Motion, which time to file
OPPOSITION to Trustee's Motion, Han, Jayde and Greyson were entitled to have.

(2) Han, Jayde and Greyson therefore request that this Court vacate its dkt.818 order, and

(3) Han, Jayde and Greyson request that this Court **re-decide** (and deny) Trustee's [dkt.816] Motion, in light of this OPPOSITION to Trustee's Motion, which briefs the multiple reasons Trustee's Motion should be denied, particularly as to Han and Jayde, and which OPPOSITION has Declarations of Han, Jayde and Kathleen P. March Esq. proving that Trustee's Motion makes **blatant falsehoods** regarding Han and Jayde Trinh. Han and Jayde's Motions for Allowance and Payment of Administrative Claims should be heard, on the merits, on 1/19/24 at 11:00 am

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** 1

1 pursuant to this Court's 10/16/23 Scheduling Order [dkt.577] with attached Notice
2 [dk.596 served 10/23/23] ordering Motions for administrative claims to be heard on
3 1/19/24 at 11:00am; and
4

5 (4) further request that this Court strike Trustee's [dkt.815] "Status Report,
6 also filed 1/5/24, stating it is for 1/19/24 hearing, as lacking any admissible evidence,
7 and therefore being irrelevant to Han, Jayde and Greyson's Motions for Allowance and
8 Payment of Administrative Claims.
9

10 **I. After this Court vacates its 1/8/24 at 6pm dkt.818 Order, this Court
11 should Court should properly Deny Trustee's Motion [dkt.816, filed
12 1/5/24] as to Han, Jayde and Greyson Administrative Claims
13 Motions, because Trustee's dkt.816 Motion it is NOT an Opposition
14 to Han, Jayde or Greysons' administrative claim Motions, and is
15 Utterly Unmeritorious,for Multiple Reasons:**

16 This Court should **deny** Trustee Marshack's dkt.816 Motion, because
17 Trustee's Motion is **utterly unmeritorious**, for the multiple reasons here briefed.
18

19 This Court's 10/16/23 Order [dkt.577] is attached as **Exhibit A** to Declaration of
20 Kathleen P. March hereo, and sets deadline of 11/21/23 for filing Motions for
21 Allowance & Payment of Administrative Claims.
22

23 That Order was granted by this Court based on a Stipulation between Trustee
24 Marshack and the creditors committee, requesting this Court to set a schedule for
25 **OBJECTION** OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING
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1 filing, opposing, replying, and setting hearing on administrative claim motions.
2

3 This Court's Order, Exhibit A, references, and orders Trustee to serve, an
4 attached **Notice** of Administrative Claims Bar Date [dk.596 served 10/23/23]. Trustee
5 served and filed that Notice [dkt596 on 10/12/23].
6

7 That **Notice** is attached as Exhibit B to March Declaration hereto. That Notice,
8 p.4, Orders Administrative Claims Motions to be set for hearing on 1/19/24 at 11am,
9 with Responses to such Motions due 14 days before hearing date, and with Replies due
10 7 days before 1/19/24 hrg. **14 days before the 1/19/24 hearing date was this past**
11 **Friday, 1/5/24. No Oppositions were filed by anyone.**

12 Trustee does not claim that Trustee was unaware, or unable to file any
13 Opposition Trustee wished to file, opposing the 3 administrative claim motions, by the
14 1/5/24 deadline for doing so. Trustee can't claim that, because it was Trustee, and the
15 creditors committee, which requested and obtained that Schedule, which Schedule was
16 set by the Exhibit A Order and Exhibit B **Notice**, which Declaration of attorney Hays
17 of Trustee's own firm (Marshack, Hays, Wood LLP) admits Trustee's firm requested
18 and obtained.
19

20 Pursuant to the CD CA Local Rules, Rule 9013-1(h), failure to timely file
21 Opposition to a Motion can be deemed by the Court to be consent to the Court
22

23 **OBJECTION** OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING
24 DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],
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1 granting the Motion. Local Rule 9013-1(h) states:

2 **“Failure to File Required Documents.** Except as set forth in LBR 7056-1(g)
3 with regard to motions for summary judgment, **if a party does not timely file**
4 **and serve documents, the court may deem this to be consent to the granting**
or denial of the motion, as the case may be.”

5
6 Plus, because Trustee failed to file any Opposition by 1/5/24, to any of the Han,
7 Jayde or Greyson administrative claim motions, Trustee has **no standing** to oppose
8 those 3 motions, and this Court should rule Trustee has **waived** the right to oppose
9 those 3 Motions.

10
11 Trustee’s Motion [dkt.816] filed 1/5/26 at 9pm, is **NOT an Opposition** to any
12 of the Han, Jayde or Greyson Administrative Claim Motions: Trustee’s Motion
13 [dkt.816] does not say it is an Opposition. Trustee’s Motion asks for relief different
14 from the relief an Opposition would request.

15 Nothing that Trustee’s Motion requests is appropriate for this Court to grant:

16 (1) Trustee moves the court to treat the 1/19/24 at 11:00 am hearing on the 3

17 Motions for administrative claims as a status conference, instead of being

18 the hearing on the merits of the Han, Jayde and Greyson administrative

19 claims motions. The 3 Motions are Motions brought by Han, Jayde and

20 Greyson, per the schedule Ordered by the Court. **These are Han, Jayde and**

21
22
23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 **DECIDED TRUSTEE MARSHACK’S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
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28 **K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH**

Greyson's Motions, NOT Trustee Motions. Trustee's Motion does not cite any authority to allow Trustee to change the nature of the hearing on Han, Jayde or Greyson's 3 duly filed and set administrative claims Motions. Trustee, has no power to change the nature of the hearing on the merits, set per this Court's [dkt.577] Order.

(2) Trustee lacks standing to take any position regarding Han, Jayde or Greyson's 3 duly filed and set administrative claims Motions, because Trustee failed to file any Oppositions by the 1/5/24 deadline to file Oppositions before the 1/19/24 at 11am hearing on the 3 motions.

(3) Contrary to what Trustee's Motion says, these 3 administrative claim motions are NOT contested matters, as defined by FRBP Rule 9014, because no OPPOSITIONS were timely filed to these 3 Motions, and a Motion only becomes a "contested matter" per FRBP Rule 9014, if and when an Opposition is timely filed to the motion.

(4) Because no Oppositions were filed to the 3 motions, neither trustee, nor anyone else, has a right to conduct discovery on the 3 motions, because the 3 motions never became “contested matters”. Plus Trustee, and anyone else who wanted to “investigate and verify the nature of each administrative

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1 claim" had **49 days to do so**, between 11/17/21 (date the 3 Motions were
2 filed) and 1/5/24 (deadline for filing Oppositions to the 3 Motions). Trustee
3 or anyone else could have moved to take 2004 exams, and had time to get
4 such motions granted, and take 2004 exams, if they wished to do so.
5

6 Obviously no one wished to do so or they would have done so.

7 (5) Trustee's Motion is error, a p.3, line 23, where it says ".....the court can
8 assess the amount of time the parties need to conduct discovery and to have
9 the matters set for hearing on the merits." The 3 Motions are already set for
10 hearing on the merits on 1/19/24, at 11:00am, by the movants, pursuant to
11 this Courts Order. Trustee and anyone else who wanted to do so had 49
12 days to investigate, but chose not to. Trustee has no right to take discovery,
13 because these Motions never became "contested matters" because no
14 oppositions were filed by the 1/5/24 deadline for filing Oppositions.
15

16 (6) Han and Jayde's Motions, have detailed declarations of Han and Jayde, and
17 attach Han and Jayde's most recent pay stubs, proving what LPG was
18 paying each of them per pay period. Han and Jayde's Declarations explain
19 that Han and Jayde's work administering the approximately 40,000 law suits
20 LPG was contracted to defend consumer debtor clients in, after LPG filed
21
22

23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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bankruptcy on 3/20/23, is why Trustee was able to sell LPG's business to Morning Law, for approximately 80 million dollars, in the sale held by this Hon. Bankruptcy Court. (March Decl hereto). The Court should grant Han and Jayde's unopposed Motions on 1/19/24. (March Decl to this Opposition).

(7) As regards Greyson's Motion, this Court ruled Phoenix Law Group was an alter ego of debtor LPG, and Greyson's Motion proves that Phoenix, had contracted with Greyson, post-petition, to pay Greyson \$2,000 per case, for Greyson to have Greyson attorneys appear in state court suits to defend Phoenix consumer clients who being sued on debts in state court suits. At the hearing held 6/12/24, Phoenix' managing attorney, Ty Carss, testified in cross-examination that Phoenix had agree to pay Greyson \$2,000 per case, to have Greyson attorneys appear to defend Phoenix consumer debtor defendants, in state court suits. Exhibit C to March Decl to this Opposition is pages 200-212 of the 6/2/12 hearing Transcript, where Phoenix's managing attorney, Ty Carss, testified that Phoenix had agreed to pay Greyson \$2,000 per case.

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1 (8) Trustees Motion , p.3 lines 24-26, is error in stating a continuance will also
2 permit Turstee and the [Creditors] Committee to investigate and verify the
3 nature of each Admin Claim and to meet and confer with claimants to
4 determine if consensual resolution is are possible. Trustee's firm cannot
5 speak for creditors committee, because Trustee's firm does not represent the
6 creditors committee, which has its own counsel. Creditors committee has
7 not joined in Trustee's Motion [dkt.577] filed 1/5/24, and has not filed any
8 Opposition to any of Han, Jayde or Greyson Motions. But like Trustee,
9 Creditors committee had 49 days, between when the 3 motions were filed on
10 11/17/24, and the 1/5/24 deadline to file Opposition to the 3 motions, to
11 move for and take 2004 exams, and to file Oppositions by 1/5/24, if creditors
12 committee wanted to file Oppositions. Creditors committee did not move
13 for or take 2004 exams, or file Oppositions.
14
15

16 **II. This Court should Hear Han and Jayde's Administrative Claim
17 Motions, on the Merits, on 1/19/24, at 11:00am, as set pursuant to
18 this Court's Scheduling Order/Notice; Trustee's Only Alleged
19 Grounds for Delaying Hearing of Han and Jayde's Administrative
20 Claim Motions' on the Merits, are FALSE**

21 This Court should hear Han and Jayde's Motions for allowance and payment of
22
23

24 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING
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1 administrative claims, on the merits, on 1/19/24 at 11:00am—the date this Court's
2 scheduling Order set for hearing, and should **grant** Han and Jayde's Motions for
3 allowance and payment of administrative claims.
4

5 Han and Jayde's Motions for allowance and payment of administrative claims
6 were each timely filed on 11/17/23, of Han Trinh ("Hahn") [dkt674], Phuong (aka
7 Jayde) Trinh ("Jayde") [dkt.675]. So was Greyson Law Center PC ("Greyson")
8 [dkt.676]. All 3 of these Motions fully documents that the administrative claims
9 sought are owed.
10

11 These 3 Motions are **unopposed**, because no Oppositions were filed to any of
12 these 3 Motions, by Trustee Marshack, by the Creditors Committee, or any anyone
13 else, by the **1/5/24 deadline for filing Oppositions** to Administrative Claim Motions
14 set by this Court's 10/16/23 Order [dkt.577] and the Notice of Administrative Claims
15 Bar Date attached to that Order.
16

17 The Declarations of Han Trinh and Jayde Trinh hereto establish, and as the 2
18 Court orders attached to my Declaration hereto as **Exhibit B** prove, **everything**
19 Trustee's "Status Report" [Dkt.815, at p.3, lines 11-20] says about Han Trinh's
20 administrative claim Motion is **false**, and , everything Trustee's "Status Report"
21 [Dkt.815, at p.3, lines 20-28] says about Jayde Trinh's administrative claim Motion is
22

23 **OBJECTION** OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING
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1 **false.**

2 Trustee's "Status Report" alleges that Han and Jayde's administrative claim
3 motions should not be heard on the merits on 1/19/24, because Han and Jayde Trinh
4 are insiders of debtor LPG, and because "Trustee is already suing in this bankruptcy
5 case for avoidance, recovery and preservation of fraudulent claims..... and unless any
6 avoided transfer is repaid, any allowed administrative claim would be subject to
7 diaslloance under 11 USC 502(d).

8 Not only does Trustee's Status Report have no admissible evidence. What
9 Trustee's Status Report [dkt.815] says about Han and Jayde is **false**:
10
11 First Han and Jayde Trinh are NOT defendants in any adversary proceeding. This is
12 proven by 2 Orders entered by this Court previously, in the LPG main bankruptcy
13 case docket: One Order dismissing Han and Jayde Trinh from the Trustee's original
14 adversary proceeding, and a second Order dismissing Han and Jayde Trinh from
15 Trustee's later amended adversary proceeding. Those 2 orders are attached as **Exhibit**
16
17 **D** to March Decl hereto.

18 Second, contrary to Status Report's "no evidence" allegation that Han and
19 Jayde Trinh are "insiders" of debtor LPG, Han and Jayde Trinh do NOT meet the
20 definition in 11 USC §101(31)(B)(i)-(vi) for who is an "insider" in a corporate debtor
21

22
23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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1 bankruptcy case. As attested to in the Declarations hereto of Han and Jayde Trinh,
2 neither was ever a director or officer of LPG. Nor were Han or Jayde Trinh “people in
3 control” of LPG. Nor were Han or Jayde , a partnership or a general partner of the
4 debtor, or a relative of any of those. The people in control of LPG were Tony Diab
5 and an attorney named Daniel March, which Han and Jayde reported to. Diab and
6 March here the people in charge of LPG, not Han and Jayde.
7

8 Yes, Han and Jayde were doing essential administration of the approximately
9 40,000 cases LPG had, where LPG consumer debtor clients were being sued by
10 creditors for (allegedly) unpaid debts. But being administrators of LPG does NOT
11 make Han or Jayde people in control of LPG. The Declarations hereto of Han and
12 Jayde Trinh attest to all this.
13

14 Consequently, Trustee’s ONLY alleged reasons for Han and Jayde’s
15 administrative claim motions not being heard as set, on the merits, on 1/19/24 at
16 11:00am, are false. Han and Jayde’s administrative claim motions should be heard, on
17 the merits, as set, on 1/19/24 at 11:00am. Those Motions are fully documented, with
18 detailed declarations. Both Han and Jayde’s administrative claim Motions attach
19 paystubs proving their W-2 salaries. Han and Jayde’s administrative work for LPG is
20 why Trustee Marshack was able to sell LPG’s business in the Bankruptcy court sale
21
22

23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 **DECIDED TRUSTEE MARSHACK’S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE’S MOTION
REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE’S MOTION, IN LIGHT
THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL
K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 for approximately 80 million dollars. Han and Jayde deserve to have their
2 administrative claim motions heard and granted, without delay.
3

4 Han and Jayde's Declarations hereto attest it is a financial hardship on Han and
5 Jayde to not have their Administrative Claim motions heard and granted on 1/19/24,
6 as set by this Court's order).

7 **III. This Court should properly Strike Trustee's "Status Report"**

8 **[dkt.815] as regards what it alleges about the Han, Jade and Greyson
9
10 Administrative Claim Motions**

11 At the 1/19/24 hearing on the 3 Administrative Claim Motions, this Court
12 should additionally grant Han, Jayde and Greyson's herein request to Strike Trustee's
13 "Status Report" [dkt.815, filed 1/5/24 and stated as being for 1/19/24 hearing] because
14 (1) a status report is not an allowed pleading on the 3 administrative claim motions,
15 and (2) Trustee's status report has no declarations, or admissible evidence whatsoever,
16 and therefore is not admissible evidence as to what Trustee's Status Report [dkt.815]
17 alleges as to the Han, Jayde and Greyson Administrative Claim Motions.
18

19 The blatant falsehoods about Han and Jayde Trinh, in Trustee's "Status Report"
20 demonstrate the problem of this Court crediting false statements in a "Status Report"
21 which has no admissible evidence whatsoever. The requirement for admissible
22

23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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1 evidence is to cut down on falsehoods.

2 **IV. CONCLUSION**

3 For all reasons here brief, the Court should grant this Motion.

4
5 Dated: January 9, 2024

6 THE BANKRUPTCY LAW FIRM, PC

7 _____/s/ Kathleen P. March _____

8 By Kathleen P. March, Esq., counsel for Han Trinh,
Jayde Trinh, and Greyson Law Center PC on their administrative claim motions

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K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

DECLARATION OF HAN TRINH

I, HAN TRINH, declare:

1. I make this Declaration to attest that what Trustee Marshack's "Status Report" [dkt.815 filed 1/5/23] alleges about me, and about my sister Phuong (aka Jayde) Trinh, is false. I have personal knowledge that what Trustee Marshack's "Status Report" alleges, about me, and about my sister, Jayde Trinh, is false, and if called as a witness I could and would testify that it is false, from my personal knowledge.
2. The Court should note that Trustee's Status Report has no Declarations, or exhibits, or admissible evidence of any kind, and should be stricken by the Court, as not being an allowed pleading relating to our Han Trinh and Jayde Trinh Motions for allowance and payment of administrative claims, and for not having any admissible evidence.
3. What Trustee's Status Report [dkt.815. at p.3 lines 11-12] says about me, is false, and what Trustee's Status Report [dkt.851, at p.3, lines 20-28 says about my sister, Jayde Trinh, is false.
4. First Jayde Trinh and I are NOT defendants in any adversary proceeding brought by Trustee Marshack. This is proven by 2 Orders entered by this

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** 14

1 Court previously, in the Trustee Marshack v Tony Diab et al adversary
2 proceeding, adv proc no. 8:23-ap-01046-SC. The first Order dismissing me
3 and Jayde Trinh from the Trustee's original adversary proceeding, and the
4 second Order dismissing Han and Jayde Trinh from Trustee's later amended
5 adversary proceeding are attached as **Exhibit D** to Kathleen P. March, Esq.
6 Declaration hereto.

7 5. Second, contrary to the allegation in Trustee's "no evidence" Status Report,
8 Jayde Trinh and I are NOT, and have NEVER BEEN, "insiders" of debtor
9 Litigation Practice Group PC ("LPG"). We were both employed by LPG, as
10 W-2 employees of LPG, doing essential administration work on the
11 approximately 40,000 cases where LPG consumer debtor clients were being
12 sued by creditor for (allegedly) failing to pay those consumer debts. But
13 Jayde Trinh and I being employed as W-2 salaried administrative employees
14 of LPG does NOT make us persons in control of LPG. Jayde and I were
15 never persons in control of LPG.

16 6. I have read the definition of who is an "insider" of a corporation, stated in 11
17 USC §101(31)(B)(i)-(vi). Jayde and I do NOT meet the definition in for
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23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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26 **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION, IN LIGHT**
27 **THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL**
28 **K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH**

1 who is an “insider” in a corporate debtor bankruptcy case, and NEVER met
2 that definition.
3

4 7. Neither Jayde, nor I, was ever a director or officer of LPG. We never owned
5 any equity interest (stock) in LPG.
6

7 8. Nor were Han or Jayde Trinh “people in control” of LPG. We never owned
any ownership interest in LPG, we were just W-2 employees of LPG. We
weren’t even paid bonuses on our salaries.
9

10 9. The people in control of LPG were Tony Diab and an attorney named Daniel
March, whom Jayde and I reported to.
11

12 10. Yes, Jayde and I were W-2 employees of LPG, and were doing essential
13 administration of the approximately 40,000 cases LPG had, where LPG
14 consumer debtor clients were being sued by creditors for (allegedly) unpaid
15 debts. But being W-2 employees of LPG, doing administration of cases for
16 LPG, does NOT make me or Jayde people in control of LPG.
17

18 11. Nor were Jayde or I , a partnership or a general partner of the debtor, or a
19 relative of any of those.
20

21 12. Jayde and I work for a living. We are young, and are not financially well
off. It is a financial hardship on me, and on Jayde, to not have our Motions
22

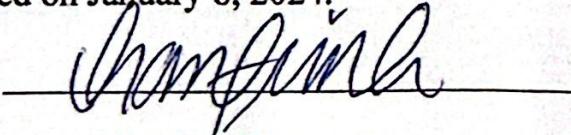
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K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 for Allowance and Payment of Administrative Claims heard on the merits,
2 and granted, on 1/19/24 at 11:00am, as set by this Court's 10/16/23 Order
3 [dkt.577] and as set by the Notice that the Court's 10/16/23 Order [dkt.577]
4 directed the Trustee to send out.

5
6 13. Jayde, and I, and Greyson Law Center PC all complied with the Schedule set
7 in the Court's Order/Notice. Trustee did NOT comply with that Schedule,
8 even though it was Trustee that requested the Court to set that Schedule.

9
10 14.

11 I declare under penalty of perjury that the foregoing is true and correct and that
12 this Declaration is executed on January 8, 2024.

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HAN TRINH

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23 (1) **OPPOSITION OF ADMINISTRATIVE CLAIMANTS HAN TRINH, JAYDE TRINH & GREYSON**
24 **LAW CENTER PC, OPPOSING—AS COMPLETELY UNMERITORIOUS, FOR MULTIPLE REASONS**
25 **TRUSTEE MARSHACK MOTION [Dkt.816], FILED 1/5/24, AND SET FOR HEARING ON 1/19/24 AT**
26 **11:00AM; AND (2) HAN, JAYDE & GREYSON'S REQUEST THAT THE COURT STRIKE TRUSTEE'S**
2 "STATUS REPORT" [DKT.815, FILED 1/5/24, FOR 1/19/24 HEARING], AS NOT AN ALLOWABLE
1 PLEADING, AND AS LACKING ANY ADMISSIBLE EVIDENCE; K.MARCH, ESQ. DECL. W/EXS.

16

DECLARATION OF PHUONG (AKA JAYDE) TRINH

I, PHUONG (AKA JAYDE) TRINH, declare:

1. I make this Declaration to attest that what Trustee Marshack's "Status Report" [dkt.815 filed 1/5/23] alleges about me, and about my sister Han Trinh, is false. I have personal knowledge that what Trustee Marshack's "Status Report" alleges, about me, and about my sister, Han Trinh, is false, and if called as a witness I could and would testify that it is false, from my personal knowledge.
2. The Court should note that Trustee's Status Report has no Declarations, or exhibits, or admissible evidence of any kind, and should be stricken by the Court, as not being an allowed pleading relating to our Han Trinh and Jayde Trinh Motions for allowance and payment of administrative claims, and for not having any admissible evidence.
3. What Trustee's Status Report [dkt.815. at p.3 lines 11-12] says about Han Trinh, is false, and what Trustee's Status Report [dkt.851, at p.3, lines 20-28 says about me, Jayde Trinh, is false.
4. First Jayde Trinh and I are NOT defendants in any adversary proceeding brought by Trustee Marshack. This is proven by 2 Orders entered by this

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** **18**

1 Court previously, in the *Trustee Marshack v Tony Diab et al* adversary
2 proceeding, adv proc no. 8:23-ap-01046-SC. The first Order dismissing me
3 and Han Trinh from the Trustee's original adversary proceeding, and the
4 second Order dismissing me and Han Trinh from Trustee's later amended
5 adversary proceeding. Those 2 orders are attached as **Exhibit D** to Kathleen
6 P. March, Esq. Declaration hereto.

7
8 5. Second, contrary to the allegation in Trustee's "no evidence" Status Report,
9 Han Trinh and I are NOT, and have NEVER BEEN, "insiders" of debtor
10 Litigation Practice Group PC ("LPG"). We were both employed by LPG, as
11 W-2 employees of LPG, doing essential administration work on the
12 approximately 40,000 cases where LPG consumer debtor clients were being
13 sued by creditor for (allegedly) failing to pay those consumer debts. But
14 Han Trinh and I being employed as W-2 salaried administrative employees
15 of LPG does NOT make us persons in control of LPG. Han and I were
16 never persons in control of LPG. I have read the definition of who is an
17 "insider" of a corporation, stated in 11 USC §101(31)(B)(i)-(vi). Jayde and I
18 do NOT meet the definition in for who is an "insider" in a corporate debtor
19 bankruptcy case, and NEVER met that definition.

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22
23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 6. Neither Han, nor I, was ever a director or officer of LPG.

2 7. Nor were Han nor I were ever “people in control” of LPG. We never owned

3 any ownership interest in LPG, we were just W-2 employees of LPG. We

4 weren’t even paid bonuses on our salaries at LPG.

5 8. The people in control of LPG were Tony Diab and an attorney named Daniel

6 March, whom Jayde and I reported to.

7 9. Yes, Jayde and I were W-2 employees of LPG, and were doing essential

8 administration of the approximately 40,000 cases LPG had, where LPG

9 consumer debtor clients were being sued by creditors for (allegedly) unpaid

10 debts. But being W-2 employees of LPG, doing administration of cases for

11 LPG, does NOT make me or Jayde people in control of LPG.

12 10. Nor were Han or I , a partnership or a general partner of the debtor, or a

13 relative of any of those.

14 11. Han and I work for a living. We are young, and are not financially well

15 off. It is a financial hardship on me, and on Han, to not have our Motions

16 for Allowance and Payment of Administrative Claims heard on the merits,

17 and granted, on 1/19/24 at 11:00am, as set by this Court’s 10/16/23 Order

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23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**

24 **DECIDED TRUSTEE MARSHACK’S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**

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26 **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE’S MOTION**, IN LIGHT

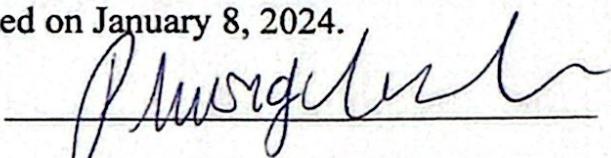
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K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH **20**

1 [dkt.577] and as set by the Notice that the Court's 10/16/23 Order [dkt.577]
2 directed the Trustee to send out.
3

4 12. Han and I, and Greyson Law Center PC all complied with the Schedule set
5 in the Court's Order/Notice. Trustee did NOT comply with that Schedule,
6 even though it was Trustee that requested the Court to set that Schedule.
7

8 I declare under penalty of perjury that the foregoing is true and correct and that
9 this Declaration is executed on January 8, 2024.
10

11 
12 PHUONG (AKA JAYDE) TRINH
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23 (1) OPPOSITION OF ADMINISTRATIVE CLAIMANTS HAN TRINH, JAYDE TRINH & GREYSON
24 LAW CENTER PC, OPPOSING—AS COMPLETELY UNMERITORIOUS, FOR MULTIPLE REASONS
25 TRUSTEE MARSHACK MOTION [Dkt.816], FILED 1/5/24, AND SET FOR HEARING ON 1/19/24 AT
26 11:00AM; AND (2) HAN, JAYDE & GREYSON'S REQUEST THAT THE COURT STRIKE TRUSTEE'S
20 "STATUS REPORT" [DKT.815, FILED 1/5/24, FOR 1/19/24 HEARING], AS NOT AN ALLOWABLE
21 PLEADING, AND AS LACKING ANY ADMISSIBLE EVIDENCE; K.MARCH, ESQ. DECI. W/EXS.
22

1 **DECLARATION OF KATHLEEN P. MARCH**

2 I, KATHLEEN P. MARCH, declare:

3 1. I am an attorney in good standing, admitted to practice in
4 California and in New York. I own and run The Bankruptcy Law Firm, PC, counsel
5 to Han Trinh, Phuong (aka Jayde) Trinh, and Greyson Law Center PC on their
6 Motions for allowance and payment of administrative claims, dkts 674, 675 and 676,
7 timely filed by my law firm on 11/17/23.

8 2. This Court's 10/16/23 Order [dkt.577] is attached as **Exhibit A** to
9 this Declaration, and sets deadline of 11/21/23 for filing Motions for Allowance &
10 Payment of Administrative Claims.

11 3. That Order was granted by this Court based on a Stipulation
12 between Trustee Marshack and the creditors committee, requesting this Court to set a
13 schedule for filing, opposing, replying, and setting hearing on administrative claim
14 motions.

15 4. This Court's Order, **Exhibit A**, attaches, and orders Trustee to
16 serve, an attached **Notice** of Administrative Claims Bar Date [dk.596 served
17 10/23/23]. Trustee served and filed that Notice [dkt596 on 10/12/23]. That **Notice** is
18 attached as **Exhibit B** to this Declaration. That Notice, p.4, Orders Administrative
19 motions.

20 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
21 **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
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23 **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT
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25 **K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH**

1 Claims Motions to be set for hearing on 1/19/24 at 11am, with Responses to such
2 Motions due 14 days before hearing date, and with Replies due 7 days before 1/19/24
3 hrg. **14 days before the 1/19/24 hearing date was this past Friday, 1/5/24. No**
4
Oppositions were filed by anyone.

5. Trustee does not claim that Trustee was unaware, or unable to file
6 any Opposition Trustee wished to file, opposing the 3 administrative claim motions,
7 by the 1/5/24 deadline for doing so. Trustee can't claim that, because it was Trustee,
8 and the creditors committee, which requested and obtained that Schedule, which
9 Schedule was set by the Exhibit A Order and Exhibit B Notice, which Declaration
10 of attorney Hays of Trustee's own firm (Marshack, Hays, Wood LLP) admits
11 Trustee's firm requested and obtained.
12

13 6. Pursuant to the CD CA Local Rules, Rule 9013-1(h), failure to
14 timely file Opposition to a Motion can be deemed by the Court to be consent to the
15 Court granting the Motion.
16

17 7. Plus, because Trustee failed to file any Opposition by 1/5/24, to
18 any of the Han, Jayde or Greyson administrative claim motions, Trustee has no
19 standing to oppose those 3 motions, and this Court should rule Trustee has waived
20 the right to oppose those 3 Motions.
21

22
23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
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8. Trustee's Motion [dkt.816] filed 1/5/26 at 9pm, is **NOT an Opposition** to any of the Han, Jayde or Greyson Administrative Claim Motions: Trustee's Motion [dkt.816] does not say it is an Opposition. Trustee's Motion asks for relief different from the relief an Opposition would request.

9. Trustee moves the court to treat the 1/19/24 at 11:00 am hearing on the 3 Motions for administrative claims as a status conference, instead of being the hearing on the merits of the Han, Jayde and Greyson administrative claims motions. The 3 Motions are Motions brought by Han, Jayde and Greyson, per the schedule Ordered by the Court. **These are Han, Jayde and Greyson's Motions, NOT Trustee Motions.** Trustee's Motion does not cite any authority to allow Trustee to change the nature of the hearing on Han, Jayde or Greyson's 3 duly filed and set administrative claims Motions. Trustee, has no power to change the nature of the hearing on the merits, set per this Court's [dkt.577] Order.

10. Trustee lacks standing to take any position regarding Han, Jayde or Greyson's 3 duly filed and set administrative claims Motions, because Trustee failed to file any Oppositions by the 1/5/24 deadline to file Oppositions before the 1/19/24 at 11am hearing on the 3 motions.

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** **24**

1 11. Contrary to what Trustee's Motion says, these 3 administrative
2 claim motions are NOT contested matters, as defined by FRBP Rule 9014, because
3 no OPPOSITIONS were timely filed to these 3 Motions, and a Motion only becomes
4 a "contested matter" per FRBP Rule 9014, if and when an Opposition is timely filed
5 to the motion.

6
7 12. Because no Oppositions were filed to the 3 motions, neither
8 trustee, nor anyone else, has a right to conduct discovery on the 3 motions, because
9 the 3 motions never became "contested matters".

10
11 13. Plus Trustee, and anyone else who wanted to "investigate and
12 verify the nature of each administrative claim" had **49 days to do so**, between
13 11/17/21 (date the 3 Motions were filed) and 1/5/24 (deadline for filing Oppositions
14 to the 3 Motions). Trustee or anyone else could have moved to take 2004 exams, and
15 had time to get such motions granted, and take 2004 exams, if they wished to do so.
16
17 Obviously no one wished to do so or they would have done so.

18 14. Trustee's Motion is error, a p.3, line 23, where it says "....the
19 court can assess the amount of time the parties need to conduct discovery and to have
20 the matters set for hearing on the merits." The 3 Motions are already set for hearing
21 on the merits on 1/19/24, at 11:00am, by the movants, pursuant to this Courts Order.

22
23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 Trustee and anyone else who wanted to do so had 49 days to investigate, but chose
2 not to. Trustee has no right to take discovery, because these Motions never became
3 “contested matters” because no oppositions were filed by the 1/5/24 deadline for
4 filing Oppositions.

5 15. Han and Jayde’s Motions, have detailed declarations of Han and
6 Jayde, and attach Han and Jayde’s most recent pay stubs, proving what LPG was
7 paying each of them per pay period. Han and Jayde’s Declarations explain that Han
8 and Jayde’s work administering the approximately 40,000 law suits LPG was
9 contracted to defend consumer debtor clients in, after LPG filed bankruptcy on
10 3/20/23, is why Trustee was able to sell LPG’s business to Morning Law, for
11 approximately 80 million dollars, in the sale held by this Hon. Bankruptcy Court. The
12 Court should grant Han and Jayde’s unopposed Motions on 1/19/24.

13 16. As regards Greyson’s Motion, this Court ruled Phoenix Law Group
14 was an alter ego of debtor LPG, and Greyson’s Motion proves that Phoenix, had
15 contracted with Greyson, post-petition, to pay Greyson \$2,000 per case, for Greyson
16 to have Greyson attorneys appear in state court suits to defend Phoenix consumer
17 clients who being sued on debts in state court suits. At the hearing held 6/12/24,
18 Phoenix’ managing attorney, Ty Carss, in cross-examination, testified that Phoenix
19

20 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
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23 **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE’S MOTION, IN LIGHT**
24 **THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL**
25 **K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH**

1 had agreed to pay Greyson \$2,000 per case, to have Greyson attorneys appear to
2 defend Phoenix consumer debtor defendants, in state court suits. Exhibit C to this
3 Declaration is pages 200-212 of the 6/2/12 hearing Transcript, where Phoenix's
4 managing attorney, Ty Carss, testified that Phoenix had agreed to pay Greyson
5 \$2,000 per case.

7 17. Trustees Motion , p.3 lines 24-26, is error in stating a continuance
8 will also permit Turstee and the [Creditors] Committee to investigate and verify the
9 nature of each Admin Claim and to meet and confer with claimants to determine if
10 consensual resolution is are possible. Trustee's firm cannot speak for creditors
11 committee, because Trustee's firm does not represent the creditors committee, which
12 has its own counsel. Creditors committee has not joined in Trustee's Motion
13 [dkt.577] filed 1/5/24, and has not filed any Opposition to any of Han, Jayde or
14 Greyson Motions. But like Trustee, Creditors committee had 49 days, between when
15 the 3 motions were filed on 11/17/24, and the 1/5/24 deadline to file Opposition to
16 the 3 motions, to move for and take 2004 exams, and to file Oppositions by 1/5/24, if
17 creditors committee wanted to file Oppositions. Creditors committee did not move
18 for or take 2004 exams, or file Oppositions.

21
22
23 OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING
24 DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],
25 WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION
26 REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION, IN LIGHT
27 THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL
28 K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 18. The Declarations of Han Trinh and Jayde Trinh hereto establish,
2 and as the 2 Court orders attached to my Declaration hereto as **Exhibit B** prove,
3 **everything** Trustee's "Status Report" [Dkt.815, at p.3, lines 11-20] says about Han
4 Trinh's administrative claim Motion is **false**, and , everything Trustee's "Status
5 Report" [Dkt.815, at p.3, lines 20-28] says about Jayde Trinh's administrative claim
6 Motion is **false**.

7 19. Trustee's "Status Report" alleges that Han and Jayde's
8 administrative claim motions should not be heard on the merits on 1/19/24, because
9 Han and Jayde Trinh are insiders of debtor LPG, and because "Trustee is already
10 suing in this bankruptcy case for avoidance, recovery and preservation of fraudulent
11 claims..... and unless any avoided transfer is repaid, any allowed administrative
12 claim would be subject to disallowance under 11 USC 502(d).
13

14 20. Not only does Trustee's Status Report have no admissible
15 evidence. What Trustee's Status Report [dkt.815] says about Han and Jayde is **false**:
16
17 First Han and Jayde Trinh are NOT defendants in any adversary proceeding. This is
18 proven by 2 Orders entered by this Court previously, in the LPG main bankruptcy
19 case docket: One Order dismissing Han and Jayde Trinh from the Trustee's original
20 adversary proceeding, and a second Order dismissing Han and Jayde Trinh from
21
22

23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION
REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION, IN LIGHT
THIS OPPOSITION, AND THAT COURT STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL
K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 Trustee's later amended adversary proceeding. Those 2 orders are attached as
2 **Exhibit D** to this Declaration.
3

4 21. Second, contrary to Status Report's "no evidence" allegation that
5 Han and Jayde Trinh are "insiders" of debtor LPG, Han and Jayde Trinh do NOT meet
6 the definition in 11 USC §101(31)(B)(i)-(vi) for who is an "insider" in a corporate
7 debtor bankruptcy case. As attested to in the Declarations hereto of Han and Jayde
8 Trinh, neither was ever a director or officer of LPG. Nor were Han or Jayde Trinh
9 "people in control" of LPG. Nor were Han or Jayde , a partnership or a general
10 partner of the debtor, or a relative of any of those. The people in control of LPG were
11 Tony Diab and an attorney named Daniel March, which Han and Jayde reported to.
12 Diab and March here the people in charge of LPG, not Han and Jayde.
13

14 22. Han and Jayde were doing essential administration of the
15 approximately 40,000 cases LPG had, where LPG consumer debtor clients were being
16 sued by creditors for (allegedly) unpaid debts. But being administrators of LPG does
17 NOT make Han or Jayde people in control of LPG. The Declarations hereto of Han
18 and Jayde Trinh attest to all this.
19

20 23. Consequently, Trustee's ONLY alleged reasons for Han and
21 Jayde's administrative claim motions not being heard as set, on the merits, on 1/19/24
22

23 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
24 **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION
REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION, IN LIGHT
THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL
K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH

1 at 11:00am, are false. Han and Jayde's administrative claim motions should be heard,
2 on the merits, as set, on 1/19/24 at 11:00am. Those Motions are fully documented,
3 with detailed declarations. Both Han and Jayde's administrative claim Motions attach
4 paystubs proving their W-2 salaries.

5 24. Han and Jayde's administrative work for LPG is why Trustee
6 Marshack was able to sell LPG's business in the Bankruptcy court sale for
7 approximately 80 million dollars. Han and Jayde deserve to have their administrative
8 claim motions heard and granted, without delay.

9 25. At the 1/19/24 hearing on the 3 Administrative Claim Motions, this
10 Court should additionally grant Han, Jayde and Greyson's herein request to Strike
11 Trustee's "Status Report" [dkt.815, filed 1/5/24 and stated as being for 1/19/24
12 hearing] because (1) a status report is not an allowed pleading on the 3 administrative
13 claim motions, and (2) Trustee's status report has no declarations, or admissible
14 evidence whatsoever, and therefore is not admissible evidence as to what Trustee's
15 Status Report [dkt.815] alleges as to the Han, Jayde or Greyson Administrative Claim
16 Motions.

17 26. The blatant falsehoods about Han and Jayde Trinh, in Trustee's
18 "Status Report" demonstrate the problem of this Court crediting false statements in a
19

20 **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING**
21 **DECIDED TRUSTEE MARSHACK'S MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24],**
22 **WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION**
23 **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION, IN LIGHT**
24 **THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, DECL**
25 **K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH**

“Status Report” which has no admissible evidence whatsoever. The requirement for admissible evidence is to cut down on falsehoods.

I declare under penalty of perjury that the foregoing is true and correct, and
that this Declaration is executed by me at Los Angeles, California, on January 9, 2024.

—/s/ Kathleen P. March—
KATHLEEN P. MARCH

OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24, SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION **REQUEST COURT VACATE ITS DKT.818 ORDER AND REDECIDE TRUSTEE'S MOTION**, IN LIGHT THIS OPPOSITION, AND THAT COUR STRIKE (NO ADMISSIBLE EVIDENCE) STATUS REPORT, **DECL K.MARCH, HAN TRINH AND PHUONG (AKA JAYDE) TRINH** 31

EXHIBIT A

1 D. EDWARD HAYS, #162507
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6 bbarnhardt@marshackhays.com
7 MARSHACK HAYS WOOD LLP
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9 Irvine, California 92620
10 Telephone: (949) 333-7777
11 Facsimile: (949) 333-7778

FILED & ENTERED

OCT 16 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

7 Attorneys for Chapter 11 Trustee,
10 RICHARD A. MARSHACK

CHANGES MADE BY COURT

9 UNITED STATES BANKRUPTCY COURT

10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 In re

12 THE LITIGATION PRACTICE GROUP P.C.,

13 Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

14 ORDER APPROVING STIPULATION
15 BETWEEN CHAPTER 11 TRUSTEE,
16 OFFICE OF THE UNITED STATES
17 TRUSTEE, THE OFFICIAL COMMITTEE
18 OF UNSECURED CREDITORS TO SET
ADMINISTRATIVE BAR DATE

19 [STIPULATION FILED AS DK. NO. 575]

20 [NO HEARING REQUIRED]

21 The Court has read and considered the Stipulation (“Stipulation”) entered into by and
22 between Richard A. Marshack, in his capacity as Chapter 11 Trustee (“Trustee”) of the Bankruptcy
23 Estate of The Litigation Practice Group P.C. (“LPG” or “Debtor”), Office of the United States
24 Trustee (“UST”), and Official Committee of Unsecured Creditors (“Committee”) (Trustee, UST, and
Committee are collectively referred to as the “Parties”), by their respective counsel of record, filed
on October 13, 2023, as Dk. No. 575 and has found good cause to approve the Stipulation.

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1 IT IS ORDERED:

2 1. The Stipulation is approved.

3 2. The deadline for the filing of any motion to obtain an allowed administrative claim
4 arising at any time from the March 20, 2023, petition date, through and including the August 4,
5 2023, Closing Date is **November 21, 2023** (“Non-Professional Administrative Claims Bar Date”).

6 3. Notice of the Non-Professional Administrative Claims Bar Date, will be in
7 substantially the same form as Exhibit “1,” which is attached to the Stipulation, and shall be served
8 by Trustee within seven days after entry of this Order approving the Stipulation.

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Date: October 16, 2023



Scott C. Clarkson
United States Bankruptcy Judge

EXHIBIT B

1 D. EDWARD HAYS, #162507
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10 Telephone: (949) 333-7777
11 Facsimile: (949) 333-7778
12
13 General Counsel for Chapter 11 Trustee,
14 RICHARD A. MARSHACK
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re
THE LITIGATION PRACTICE GROUP P.C.,
Debtor.

Case No. 8:23-bk-10571-SC
Chapter 11
FIRST NOTICE OF ADMINISTRATIVE
CLAIMS BAR DATE
BAR DATE: NOVEMBER 21, 2023

TO ALL CREDITORS AND OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that pursuant to an order entered by the Bankruptcy Court on October 16, 2023, as Dk. No. 577 (“Administrative Claims Bar Date Order”), a copy of which is attached as Exhibit “1,” the deadline by which holders of Non-Professional Administrative Claim(s)¹ must file a motion for allowance of an Administrative Claim(s) pursuant to 11 U.S.C. § 503(b)

¹ Administrative Claim(s) are defined as any claim of the kind described in 11 U.S.C. § 503(b) and entitled to priority under 11 U.S.C. § 507(a)(2) that arose on or after **March 20, 2023 (“Petition Date”)** and before **August 4, 2023, the date of closing of the sale of substantially all of the Debtor’s assets to Morning Law Group, P.C. (“Closing Date”)**.

The following claims are specifically excepted from the definition of Administrative Claim(s) and the Deadline: (1) Administrative Expense Claims previously filed with the Court; (2) all claims for professional fees and reimbursable expenses by Estate professionals including the appointed trustee and other professionals whose employment has been approved by the Court, professionals whose employment may later be appointed or approved in the future, by this Bankruptcy Court; (3) all claims for fees payable to the Clerk of the United States Bankruptcy Court for the Central District of

1 (“Motion for Administrative Expense”), in the above-referenced Chapter 11 case is **November 21,**
2 **2023** (“Deadline”).

3 PLEASE TAKE FURTHER NOTICE that, with respect to filing a Motion for
4 Administrative Expense, please be advised that:

5 (1) Who Must File a Motion. Any person or entity who wishes to assert an Administrative
6 Claim(s) in this case must file a Motion for Administrative Expense with the
7 Bankruptcy Court on or before the November 21, 2023, Deadline and serve a copy on:
8 (a) Chapter 11, Trustee, Richard A. Marshack, and on his counsel Marshack Hays
9 Wood LLP, Attn: D. Edward Hays, Laila Masud, and Bradford N. Barnhardt at 870
10 Roosevelt, Irvine, CA 92620, or via e-mail at ehays@marshackhays.com,
11 lmasud@marshackhays.com, and bbarnhardt@marshackhays.com; and (b) counsel for
12 the Official Committee of Unsecured Creditors, Fox Rothschild LLP, Attn: Keith
13 Owens and Nick Koffroth at 10250 Constellation Blvd., Suite 900, Los Angeles, CA
14 90067, or via email at KOwens@foxrothschild.com, and
15 NKoffroth@foxrothschild.com. The failure to timely file and serve the required motion
16 will result in the claimant being forever barred from sharing in any distribution in the
17 case on account of an administrative expense priority claim arising in whole or in part
18 during the time period of March 20, 2023, through and including August 4, 2023.

19 (2) What is an Administrative Expense: Sections 503(b) and 507(a)(2) of Title 11 of the
20 United States Code (“Bankruptcy Code”) provide for the allowance of administrative
21 expense priority claims in a bankruptcy case. Generally, administrative expenses include
22 the actual, necessary costs and expenses of preserving the estate including wages,
23 salaries, and commissions for services rendered after the commencement of the case,
24

25 California; (4) all claims for fees arising under 28 U.S.C. § 1930(a)(6) or accrued interest thereon
26 arising under 31 U.S.C. § 3717; (5) claims for the value of goods received within 20 days prior to the
27 Petition Date, which goods were sold to the debtor within the ordinary course of the debtor’s
28 business under 11 U.S.C. § 503(b)(9); (6) all administrative expense claims that arise after August 4,
2023; and (7) any claim described in 11 U.S.C. § 503(b)(1)(B) and (C) (as provided in 11 U.S.C.
§ 503(b)(1)(D)).

1 and certain taxes,. There may be other grounds upon which administrative expenses may
2 be allowed. Should you be uncertain as to whether it is necessary and/or appropriate for
3 you to file a Motion for Administrative Expense, please consult an attorney. **Do not file**
4 **a Motion for Administrative Expense if your claim arose prior to the March 20,**
5 **2023, Petition Date.** Instead, if your claim arose prior to the bankruptcy, you will be
6 served with a separate notice of claims bar date for claims arising before the March 20,
7 2023, Petition Date (“General Claims Bar Date”), and must file a proof of claim by the
8 General Claims Bar Date to be set by the Court. Instructions for electronically filing a
9 proof of claim subject to the General Claims Bar Date can also be found on the Court’s
10 website at <https://www.cacb.uscourts.gov/epoc-electronic-proof-claim>. Alternatively,
11 instructions for printing, signing, and filing a paper copy of a proof of claim are
12 available at <https://www.cacb.uscourts.gov/forms/proof-claim>.

13 (3) Where to File the Motion: Any Motion for Administrative Expense must be filed with
14 the Clerk of the Bankruptcy Court, Central District of California, Santa Ana Division,
15 at 411 West Fourth Street, Santa Ana, CA 92701-4593 at least 21 days prior to the
16 hearing date. Unless otherwise ordered, all such motions must be set for hearing on
17 January 19, 2024, at 11:00 a.m., Under Rule 9013-1(c) and (i) of the Local
18 Bankruptcy Rules, all motions must be supported by declaration(s) executed under
19 penalty of perjury, documentary evidence supporting the claim, a written statement of
20 reasons in support, and a memorandum of points and authorities upon which the
21 moving party will rely. Unless excused by the Court, the moving party or its counsel
22 must appear at the hearing. The Court will post a calendar with instructions regarding
23 whether appearances will be conducted remotely or in person. The calendar can be
24 accessed at: <http://ecf-ciao.cacb.uscourts.gov/CiaoPosted/>.

25 (4) When must the Motion be Filed: Again, any Motion for an Administrative Expense
26 must be filed on or before the November 21, 2023 Deadline and set for hearing on
27 January 19, 2024, at 11:00 a.m.

1 (5) Response to Motion. Any response to any such motion(s), or request to continue the
2 hearing(s), shall be filed and served no later than 14 days prior to the date of the
3 hearing.

4 (6) Reply Brief: Any reply to any response must be filed and served no later than 7 days
5 prior to the hearing.

6

7 DATED: October 23, 2023

MARSHACK HAYS WOOD LLP

8

/s/ D. Edward Hays

9

By:

10 D. EDWARD HAYS
11 LAILA MASUD
12 BRADFORD N. BARNHARDT
13 General Counsel for Chapter 11 Trustee,
14 RICHARD A. MARSHACK

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4860-5215-3994, v. 1

EXHIBIT 1

1 D. EDWARD HAYS, #162507
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3 LAILA MASUD, #311731
4 masud@marshackhays.com
5 BRADFORD N. BARNHARDT, #328705
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FILED & ENTERED

OCT 16 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

7 Attorneys for Chapter 11 Trustee,
8 RICHARD A. MARSHACK

CHANGES MADE BY COURT

9 UNITED STATES BANKRUPTCY COURT

10 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

11 in re

Case No. 8:23-bk-10571-SC

12 THE LITIGATION PRACTICE GROUP P.C.,

Chapter 11

13 Debtor.

14 ORDER APPROVING STIPULATION
15 BETWEEN CHAPTER 11 TRUSTEE,
16 OFFICE OF THE UNITED STATES
17 TRUSTEE, THE OFFICIAL COMMITTEE
18 OF UNSECURED CREDITORS TO SET
ADMINISTRATIVE BAR DATE

19 [STIPULATION FILED AS DK. NO. 575]

20 [NO HEARING REQUIRED]

21 The Court has read and considered the Stipulation (“Stipulation”) entered into by and
22 between Richard A. Marshack, in his capacity as Chapter 11 Trustee (“Trustee”) of the Bankruptcy
23 Estate of The Litigation Practice Group P.C. (“LPG” or “Debtor”), Office of the United States
24 Trustee (“UST”), and Official Committee of Unsecured Creditors (“Committee”) (Trustee, UST, and
Committee are collectively referred to as the “Parties”), by their respective counsel of record, filed
on October 13, 2023, as Dk. No. 575 and has found good cause to approve the Stipulation.

25 ///

26 ///

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28 ///

1 IT IS ORDERED:

2 1. The Stipulation is approved.

3 2. The deadline for the filing of any motion to obtain an allowed administrative claim

4 arising at any time from the March 20, 2023, petition date, through and including the August 4,

5 2023, Closing Date is **November 21, 2023** (“Non-Professional Administrative Claims Bar Date”).

6 3. Notice of the Non-Professional Administrative Claims Bar Date, will be in

7 substantially the same form as Exhibit “1,” which is attached to the Stipulation, and shall be served

8 by Trustee within seven days after entry of this Order approving the Stipulation.

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23 Date: October 16, 2023

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Scott C. Clarkson
United States Bankruptcy Judge

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **FIRST NOTICE OF ADMINISTRATIVE CLAIMS BAR DATE** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 23, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On October 23, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

MAIL REDIRECTED TO TRUSTEE

DEBTOR

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST, SUITE 100
TUSTIN, CA 92780-1981

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on October 23, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 23, 2023
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:**

- **ATTORNEY FOR CREDITOR AFFIRMA, LLC and CREDITOR OXFORD KNOX, LLC:** Eric Bensamochan eric@eblawfirm.us, G63723@notify.cincompass.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Peter W Bowie peter.bowie@dinsmore.com, caron.burke@dinsmore.com
- **ATTORNEY FOR CREDITOR SDCO TUSTIN EXECUTIVE CENTER, INC.:** Ronald K Brown ron@rkbrownlaw.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Christopher Celentino christopher.celentino@dinsmore.com, caron.burke@dinsmore.com
- **INTERESTED PARTY COURTESY NEF:** Shawn M Christianson cmcintire@buchalter.com, schristianson@buchalter.com
- **INTERESTED PARTY COURTESY NEF:** Randall Baldwin Clark rbc@randallbclark.com
- **INTERESTED PARTY COURTESY NEF:** Leslie A Cohen leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com; clare@lesliecohenlaw.com
- **INTERESTED PARTY COURTESY NEF:** Aaron E. DE Leest adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com
- **ATTORNEY FOR INTERESTED PARTY NATIONAL ASSOCIATION OF CONSUMER BANKRUPTCY ATTORNEYS and INTERESTED PARTY NATIONAL CONSUMER BANKRUPTCY RIGHTS CENTER:** Jenny L Doling jd@jdl.law, dolingjr92080@notify.bestcase.com; 15994@notices.nextchapterbk.com
- **ATTORNEY FOR CREDITOR CAROLYN BEECH:** Daniel A Edelman dedelman@edcombs.com, courtecl@edcombs.com
- **ATTORNEY FOR CREDITOR VALIDATION PARTNERS LLC:** William P Fennell william.fennell@fennelllaw.com, luralene.schultz@fennelllaw.com; wpf@ecf.courtdrive.com; hala.hammi@fennelllaw.com; naomi.cwalinski@fennelllaw.com; samantha.larimer@fennelllaw.com
- **ATTORNEY FOR CHAPTER 11 TRUSTEE RICHARD A MARSHACK (TR):** Christopher Ghio christopher.ghio@dinsmore.com, Kristina.Heller@Dinsmore.com
- **ATTORNEY FOR DEFENDANT STRIPE, INC.:** Eric D Goldberg eric.goldberg@dlapiper.com, eric-goldberg-1103@ecf.pacerpro.com
- **ATTORNEY FOR CREDITOR AFFIRMA, LLC; CREDITOR ANAHEIM ARENA MANAGEMENT, LLC; CREDITOR ANAHEIM DUCKS HOCKEY CLUB, LLC; and CREDITOR OXFORD KNOX, LLC:** Jeffrey I Golden jgolden@go2.law, kadele@ecf.courtdrive.com; cbmeeker@gmail.com; lbracken@wgllp.com; gestrada@wgllp.com; golden.jeffreyi.b117954@notify.bestcase.com
- **ATTORNEY FOR CREDITOR DEBT VALIDATION FUND II, LLC; CREDITOR MC DVI FUND 1, LLC; and CREDITOR MC DVI FUND 2, LLC:** Richard H Golubow rgolubow@wghlawyers.com, jmartinez@wghlawyers.com; svillegas@wghlawyers.com
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4890-8889-1779, v. 1

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

EXHIBIT C

1 UNITED STATES BANKRUPTCY COURT
2
3 CENTRAL DISTRICT OF CALIFORNIA
4
5 In Re:) Case No. 8:23-bk-10571-SC
6)
7 THE LITIGATION PRACTICE GROUP) Chapter 11
8)
9 P.C.,)
10) Santa Ana, California
11)
12 Debtor.) Monday, June 12, 2023
13)
14) 1:30 p.m.
15)
16)
17)
18 MARSHACK,) Adv. No. 8:23-ap-01046-SC
19)
20)
21 Plaintiff,)
22)
23)
24 vs.)
25)
26)
27 DIAB, ET AL.,)
28)
29)
30 Defendants.)
31)
32)

14 HEARING RE: PRELIMINARY
INJUNCTION

16 STATUS CONFERENCE HEARING RE:
17 (1) CASE MANAGEMENT CONFERENCE
AND (2) REQUIRING STATUS
REPORT

25 Proceedings recorded by electronic sound recording;
transcript produced by transcription service.

ii

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1 liking you. I unfortunately doubled down on that with my
2 own weird sense of humor when I said, "You'll have to get in
3 line." I want to apologize for that. That was uncalled
4 for, and I shouldn't have said it. If I hurt your feelings
5 or if I irritated you, I'm very, very sorry.

6 THE WITNESS: You did not, no need to apologize.
7 And it is a long list. Your Honor is correct.

8 THE COURT: Again, I shouldn't have said it, and I
9 regret it.

10 THE WITNESS: Thank you, your Honor.

11 THE COURT: Thank you.

12 Well, Mr. Celentino, would you like to call Mr.
13 Carss now?

14 MR. CELENTINO: At this late honor -- late hour,
15 your Honor?

16 THE COURT: I'm not in any rush.

17 MR. CELENTINO: That's fine. I was going to move
18 the submission of his declaration.

19 THE COURT: It is already in the record. It is
20 submitted.

21 MR. CELENTINO: Then I call Mr. Carss.

22 THE CLERK: Please raise your right hand.

23 WILLIAM TAYLOR CARSS - PLAINTIFF'S WITNESS - SWORN

24 THE CLERK: Please you state your name and spell
25 your name for the record?

1 THE WITNESS: William Taylor Carss. That's
2 C-A-R-S-S. I've gone by Ty my whole life.

3 THE CLERK: Okay. Thank you.

4 DIRECT EXAMINATION

5 BY MR. CELENTINO:

6 Q Mr. Carss, you are the lead attorney for the Phoenix
7 Law Group, correct?

8 A That is correct.

9 Q Who hired you?

10 A Mr. Diab.

11 Q Okay. Did he do the interview for you also for the
12 position at Gallant before Phoenix?

13 A Yes.

14 Q Okay. In your role as the lead attorney for Phoenix,
15 are you involved in deciding how Phoenix recovers its funds
16 from its customers?

17 A No. I don't have any involvement in the financials of
18 it.

19 Q Who directs the pulls for Phoenix Law Group?

20 A I don't know for sure.

21 Q Who do you believe it is?

22 A I believe it is a combination between Ms. Loli and Mr.
23 Diab.

24 Q Who would make the decision how to spend the monies
25 that have been pulled from Phoenix Law Group clients?

1 A Well, I know that anytime that I need to make a
2 referral request or pay for a client's bankruptcy petition
3 or anything like that, while I'm allowed to authorize it, it
4 has to be submitted to HR, to accounting, and to Ms. Loli,
5 and to Mr. Diab.

6 Q Okay. And so some combination of those folks, with
7 input from Mr. Diab, decides if it's okay to pay that bill?

8 A Well, if I continually go to the accounting department,
9 they just keep saying they haven't gotten authorization to
10 do so.

11 Q Okay. And you believe they're waiting for that
12 authorization from Mr. Diab?

13 A I do believe that.

14 Q Okay. In your declaration, you discuss the network of
15 attorneys that were made available to you at Phoenix, right?

16 A Yes.

17 Q There was a network of attorneys. Those network of
18 attorneys, to the best of your knowledge, are the same
19 network of attorneys that were utilized by Litigation
20 Practice Group, correct?

21 A Yes. (Indiscernible) I expand on that a little bit.

22 Q Please.

23 A When LPG came to a close, many of those attorneys that
24 were in the network obviously were not working for LPG
25 anymore. A lot of them had outstanding cases, and they were

1 afraid they were not going to get paid. We were in a need
2 for attorneys. They were already very familiar with the
3 system and the way that LPG worked -- Phoenix worked.

4 So I reached out to many of them, and, surprisingly, a
5 lot of them reached out to me as well, saying, "Hey, do you
6 have any work? We like this work. We'll continue with this
7 work." So I started establishing relationships with them.
8 And obviously we didn't have the funding to make them W-2
9 attorneys, so we were moving forward on a 1099 basis. But
10 everything was coming at us very quickly, and that -- we
11 have verbal agreements and agreements in e-mails, but not
12 too many of them do we have an actual contract with them.

13 Q But you'll utilize those same attorneys at Phoenix to
14 make appearances for Phoenix clients that were once LPG
15 clients?

16 A Absolutely.

17 Q Yes. And that contract work for them was done for a
18 set fee.

19 A There were a couple attorneys that wanted to work
20 hourly, and we did sign some retainers with that, and we
21 sent some money. There were other attorneys that wanted a
22 -- just a percentage of what they -- basically what they
23 settled, and one of them was the 10-percent of whatever
24 amount he could settle. That was a unique situation for
25 that attorney. But the vast majority of them wanted just a

1 per case.

2 And I noticed that when they -- it seemed to me,
3 because I had seen some invoicing, that when they were with
4 LPG, they seemed to be making about \$500 a case. I had
5 several of them come to me, and they wanted \$900 per case.
6 And I told them that we would pay them 750.

7 Q Okay.

8 A And most of them all agreed to that amount.

9 Q Okay. When Greyson Law Group started, what developed
10 with your relationship with your list of attorneys that were
11 working for Phoenix?

12 A Well, Phoenix was having a difficulty paying the
13 attorney invoices. Again, we had to go through that whole
14 process of submitting them to just about everybody in the
15 company. And then me daily asking, are these people going
16 to be paid? Are these people going to be paid?

17 THE COURT: May I interrupt for one second?

18 THE WITNESS: Sure.

19 THE COURT: You were involved in the questions of
20 these people going to be paid. Who are these people you're
21 speaking of?

22 THE WITNESS: The local counsel -- the attorneys
23 that are in the network throughout the United States.

24 THE COURT: Because earlier in your testimony, and
25 I'm just trying to seek clarification, you gave me the

200

1 impression that you were an attorney practicing law and you
2 had nothing to do with the finances, but now I'm hearing you
3 trying to figure out who's going to pay these attorneys. So
4 I just need an amplification.

5 THE WITNESS: I'm -- the financing of it, where
6 the money went, where it came in -- the attorneys who were
7 out in the network, either myself or my paralegal, are the
8 point of contact. And so the attorneys would copy me with
9 their invoices through e-mail. Sometimes they would go
10 straight to accounting, but either my paralegal or myself
11 were always copied with them. And so those attorneys that
12 wanted to be paid for these cases would contact me. So the
13 only money issues that I tried to deal with are trying to
14 see that our local counsels get paid so that they'll
15 continue to help us represent clients out in the field.

16 THE COURT: So this wasn't operational finance.
17 It was -- it was a client relationship financing and
18 attorney payments, but it wasn't operational.

19 THE WITNESS: Absolutely.

20 THE COURT: That's what I wanted to understand.
21 Thank you.

22 BY MR. CELENTINO:

23 Q When Greyson Law Group was started in March, did you
24 start having difficulty getting the attorneys in that
25 network to work for Phoenix?

1 A Yes.

2 Q How so?

3 A Well, again, the payment process through Phoenix was so
4 slow that a lot of these attorneys were wondering how they
5 were going to get paid. And then they -- many of them, as I
6 noticed, their e-mails all started changing from LPG e-mails
7 to Greyson e-mails. And many of them told me that they
8 would not take assignments unless it was through Greyson.
9 And this is sort of how I actually learned about Greyson.
10 And I would ask Mr. Diab, "Is this where the attorneys are
11 coming from? Am I sending the assignments through that?"
12 And he was -- and the answer was, "Yes. We're going to do
13 that for a while. But I don't know that that model is
14 working. And I think that Greyson is going to be
15 terminated. It's going to be shut down."

16 Q When he said "we're going to do that for a while," who
17 did you think he was talking about?

18 A Phoenix Law.

19 Q Okay. So Phoenix is going to agree to pay Greyson --
20 to hire through Greyson the network of attorneys that LPG
21 and Phoenix were previously using on their own?

22 A I assume so.

23 Q Okay. And since that time, have you had to hire
24 Greyson attorneys to assist the Phoenix clients formerly of
25 LPG?

1 A I did. It was a little bit difficult at first. But
2 then there was a -- there was a short stretch where it
3 really was a good relationship. Every time I asked for an
4 attorney to be assigned, I got response. And I was hoping,
5 I think -- and we would follow up and -- that, you know,
6 these attorneys were being assigned to the task that we
7 needed in another state. And then the relationship was
8 terminated.

9 Q Who did you reach out to at Greyson to get the
10 assignment?

11 A I would always send it to legal@greyson and
12 attorney@greyson, who I believe is Han and Jade.

13 Q Okay. Thank you. What fee was Greyson charging
14 Phoenix for the Greyson attorneys that you had to engage?

15 A Well, at first -- the first few assignments, there
16 weren't any. But I do believe that between Maverick and
17 Greyson, they wanted to establish an invoicing system. And
18 so suddenly after I started assigning these cases or asking
19 Greyson to assign these cases, I started immediately getting
20 invoices for \$2,000 per case.

21 Q Which was a large bit more than you had previously been
22 arranging to pay those same lawyers for the same work.

23 A Well, it certainly opened my eye as to why when I asked
24 these attorneys if they wanted to go with Greyson or if they
25 wanted to stay 1099, they all said, "We'll stay with

1 Greyson."

2 Q I understand. Okay. There's a desk for Tony Diab at
3 the Phoenix Law Firm, isn't there?

4 A No, not that I know of.

5 Q You've never seen the desk that has the sign, "I'm not
6 here on it"?

7 A I have not.

8 Q Okay. How about -- do you know what name Tony Diab was
9 referred to by personnel? He had an alias, didn't he?

10 A At Phoenix?

11 Q At Phoenix. Was it --

12 A I believe it was Paul.

13 Q It was Paul. And why would he have an alias? Why
14 would people refer to him as Paul?

15 A Well, I -- Mr. Diab, I think, has a -- is -- with his
16 disbarment, he doesn't want to have association with law
17 firms.

18 Q I understand. In your opinion, if Phoenix had control
19 of the client pulls, could Phoenix service the clients that
20 were purportedly transferred to Phoenix?

21 A I absolutely believe so.

22 Q Yes. And could you do that legally?

23 A I think so, yes.

24 Q Okay. And you can't do that now because you have no
25 control of the client pulls to Phoenix, right?

1 A I have no control over the pulls at all.

2 Q Right. And so you have no control -- as the person in
3 charge, you have no control of the cash flow?

4 A Correct.

5 Q Okay.

6 MR. CELENTINO: If I may consult with my team.
7 One second.

8 BY MR. CELENTINO:

9 Q The converse question is also true. If the files
10 resided at LPG, you were the attorney for LPG, and LPG was
11 in charge of its own pulls, could LPG survive?

12 A Was that an if?

13 Q If.

14 MS. PHAM: Objection, your Honor. Calls for
15 speculation.

16 THE WITNESS: I don't --

17 THE COURT: Excuse me, there was an objection.

18 MS. PHAM: Speculation.

19 THE COURT: Well, if -- you can ask him, "If you
20 know."

21 BY MR. CELENTINO:

22 Q If you know.

23 A I wouldn't know. LPG's operating costs are probably --
24 were much different than Phoenix's, I would think.

25 Q Okay. But the premise is that the client work being

1 done for the clients could be financed by the client pulls
2 under your direction if you had control of the money, right?

3 A I believe so.

4 Q Yeah.

5 MR. CELENTINO: Okay. Thank you.

6 THE COURT: Thank you.

7 MR. PLAZAK: Good evening. Doug --

8 THE COURT: State your name for the record.

9 MR. PLAZAK: Right. Doug Plazek, Reid and
10 Hellyer, for Greyson.

11 CROSS EXAMINATION

12 BY MR. PLAZAK:

13 Q Mr. Carss, Phoenix required attorneys in many states
14 throughout the country to handle its clients, right?

15 A Correct. And so -- and it didn't have -- it didn't
16 always have attorneys readily available to --

17 THE COURT: Excuse me for one second. We have
18 people on the Zoom call who are not muted. All right. I
19 think that solved the problem.

20 BY MR. PLAZAK:

21 Q And it didn't always have attorneys readily available
22 to take cases out of state, true.

23 A That is correct.

24 Q And sometimes these would be emergency cases. In other
25 words, cases where a pleading or something was due within

1 24, 48 hours, 72 hours, something like that.

2 A Oftentimes.

3 Q Right. So there was an exigency oftentimes to getting
4 counsel available, right?

5 A Yes, I would agree.

6 Q Okay. And so -- and nobody forced Phoenix to use
7 Greyson, right, to get counsel out of state, right?

8 A Well, I wish we could have sought out our own and
9 developed contracts and relationships.

10 Q Right.

11 A Right. We could have.

12 Q You could have picked up the phone to -- we -- talk
13 about Indiana. You could have called counsel in Indiana and
14 say, "Hey, I need you to -- there's -- I got a -- I got a
15 pleading that's due in 48 hours. Yeah. I need you on this
16 case. Will you take the case?" You could have done that,
17 right?

18 A I could have, and I did in a few states.

19 Q Right. Okay. But it was -- that's something that's --
20 that takes time, right?

21 A Correct.

22 Q It takes work.

23 A Correct.

24 Q Takes sweat, right?

25 A Absolutely.

1 Q And oftentimes, you don't have time for that, right?

2 A I do not.

3 Q Right. And so that's where you -- sometimes you have
4 to pay a premium for that -- to do that, right -- to get
5 those counsel, right?

6 A Correct.

7 Q Okay. And so if they -- and, again, if Greyson was
8 charging exorbitant fees, you could have gone to somebody
9 else to do that work. You could have -- in other words,
10 say, if you don't have the time to do it, you could have
11 hired somebody to do that, right?

12 A Correct.

13 Q Okay. But you chose not to, right?

14 A Well, I was informed that this was the way that we were
15 going to do it.

16 Q Did Greyson inform you of that? Did somebody from
17 Greyson tell you this is the way we're going to do it?

18 A Not from Greyson.

19 Q Right. Okay. And so the fact that Phoenix chooses to
20 use Greyson and to pay Greyson for whatever amount it's
21 agreed to pay, that's entirely Phoenix's decision, right?

22 A Well, it's not, because Phoenix was paying Greyson's
23 salaries, and the attorneys that are in the Greyson network
24 are salaried attorneys. So I guess the part that I'm
25 confused about is why are we then being invoiced for

1 attorneys who Phoenix is paying the salary of?

2 Q Isn't that --

3 A We're paying the salary of them so that they are
4 readily available, that when we need them in an emergency,
5 they're there.

6 Q Isn't that between you and the counsel? Isn't that --
7 and when I say "you," I mean Phoenix. Isn't that between
8 Phoenix and the counsel? In other words, if you're claiming
9 that the counsel are double billing you, isn't that really
10 an issue between Phoenix and the counsel who you claim or
11 double billing you?

12 A I don't think it's the counsel.

13 Q Well, okay. If -- is it the issue that you feel that
14 Greyson is double dipping, or is it the fact -- or is the
15 issue that you feel you're paying Greyson too much?

16 A Greyson is double dipping.

17 Q All right. But that's different than paying too much.

18 A In some situations when it's an emergency and when
19 something needs to be done very quickly, yes, absolutely,
20 paying a premium is expected. I completely understand that.

21 Q Okay. And if there are situations where you think
22 Greyson is double dipping, you can bring that to Greyson's
23 attention, right?

24 A Sure.

25 Q Okay. Isn't that -- and so what -- is there something

1 that's -- that makes you unable to bring these issues to
2 Greyson's attention?

3 A I guess not.

4 Q All right.

5 MR. PLAZAK: Nothing further.

6 THE COURT: Is there anyone else?

7 Ms. Cohen, you came forward.

8 MS. COHEN: I'm okay, your Honor.

9 THE COURT: Okay.

10 Ms. Pham?

11 MS. PHAM: A couple of questions, your Honor.

12 FURTHER CROSS EXAMINATION

13 BY MS. PHAM:

14 Q Mister -- I'm sorry. You're the sole shareholder of
15 Phoenix Law Group, correct?

16 A Correct.

17 Q Okay. I think I heard you -- you do the hiring of
18 attorneys, sir?

19 A No, we are -- well, I have signed a retainer agreement
20 for a few of them so that they will continue to work for us.
21 Yes.

22 Q And you make the decision whether or not to fire them
23 if you don't want the attorney anymore.

24 A I have requested that we not work with an attorney
25 anymore, but I don't know that I have the power to do that.

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1 Q Who would have the power to fire an attorney in a firm
2 that you own?

3 A Well, they don't work for my firm. We either had them
4 on a 1099 or they're a Greyson attorney.

5 Q Okay. What about Phoenix Law Group? Does Phoenix Law
6 Group have any contract directly with any attorneys not from
7 Greyson?

8 A Yes, a few.

9 Q Okay. And who made the decision to retain those
10 attorneys?

11 A I did.

12 Q Okay. And are -- is Phoenix Law Group currently
13 servicing any of the former LPG clients?

14 A Nearly all of them.

15 Q Nearly all of them. Okay. And which attorneys are
16 handling those? How many attorneys, approximately?

17 A We probably have 15 or 16 that we can sort of reach out
18 on a 1099. Other than that, we go to Greyson.

19 Q Okay. So approximately 15, let's say, on retainer with
20 Phoenix Law Group, and then others from Greyson?

21 A There's only a few on retainer. The other would be
22 just 1099.

23 Q Okay. So contract attorneys you can pull from?

24 A Yes.

25 Q And the Greyson attorneys, approximately how many does

1 Phoenix Law Group use to service these clients?

2 A For all the other states that we can't cover.

3 Q We heard a lot of different numbers of numbers of
4 cases. Can you give us an estimate, approximately how many
5 clients Phoenix Law Group is currently servicing?

6 A I believe the number might be around 40,000.

7 Q And they are -- and you are currently managing the law
8 group to service all 40,000. Is that right?

9 A Yes.

10 Q Okay.

11 MS. PHAM: That's all I have, your Honor.

12 THE COURT: Thank you very much. Anyone else?

13 MS. COHEN: Your Honor, I have a separate
14 question.

15 THE COURT: Ms. Cohen.

16 MS. COHEN: It's not a cross-examination question.
17 Lisa Cohen has a little baby at home, and I've confirmed
18 with the trustee that they do not need to examine her today.
19 She's going to sit for a 2004 at some point.

20 THE COURT: Well then she is excused.

21 MS. COHEN: Thank you very much, your Honor. I
22 appreciate that.

23 THE COURT: You're welcome.

24 I think you're done, Mr. Carss. Thank you very
25 much.

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1 its fights and to not die on certain hills.

2 MR. CELENTINO: Sorry for not reading the room,
3 but I wanted to make sure that the record was there.

4 UNIDENTIFIED SPEAKER: I'm still learning how to
5 pick my fights.

6 THE COURT: Well, I appreciate it. With that,
7 court is in -- is adjourned for the evening. Thank you for
8 all of your patience, and we'll see you soon.

9 UNIDENTIFIED SPEAKER: Thank you, your Honor.

10 UNIDENTIFIED SPEAKER: Thank you, your Honor.

11 UNIDENTIFIED SPEAKER: Thank you, your Honor.

12 (Proceedings concluded.)

13

14 I certify that the foregoing is a correct
15 transcript from the electronic sound recording of the
16 proceedings in the above-entitled matter.

17

18 /s/ Holly Steinhauer
19 Transcriber

6-27-23
Date

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21

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23

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25

EXHIBIT D

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6 *Counsel of Record for Adv. Proc. Defendants*
7 *Han Trinh and Jayde Trinh*

FILED & ENTERED

OCT 05 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA—SANTA ANA DIVISION

10 In re

11 THE LITIGATION PRACTICE
12 GROUP, P.C.,

13 Debtor.

14 RICHARD A. MARSHACK, Chapter 11 Trustee,

15 Plaintiff,

16 v.

17 TONY DIAB, an individual; DANIEL S.
18 MARCH, an individual; ROSA BIANCA LOLI, an
19 individual; LISA COHEN, an individual;
20 WILLIAM TAYLOR CARSS, an individual; ENG
21 TAING, an individual; HENG TAING, an
22 Individual; MARIA EEEYA TAN, an individual;
23 JAKE AKERS, an individual; HAN TRINH, an
24 individual; JAYDE TRINH, an individual [and 34
25 additional defendants]

Defendants.

Bankruptcy Case No. 8:23-bk-10571-SC
Chapter 11
Adversary Proceeding no. 8:23-ap-01046-SC

**STIPULATED ORDER TO DISMISS
HAN AND JAYDE TRINH, WITHOUT
PREJUDICE, FROM ADVERSARY
PROCEEDING 8:23-ap-01046-SC,
BASED ON STIPULATION BETWEEN
PLAINTIFF CHAPTER 11 TRUSTEE,
RICHARD MARSHACK, AND
ADVERSARY PROCEEDING
DEFENDANTS HAN AND JAYDE
TRINH**

[No hearing item]

26 The Court, having considered the Stipulation filed October 5, 2023 [Dk. 218] (“Stipulation”)
27 between Plaintiff Chapter 11 Trustee Richard A. Marshack, by his counsel of record, and adversary

28 **STIPULATED ORDER DISMISSING HAN AND JAYDE TRINH, WITHOUT PREJUDICE, FROM
ADVERSARY PROCEEDING 8:23-ap-01046-SC, BASED ON STIPULATION BETWEEN PLAINTIFF
CHAPTER 11 TRUSTEE, RICHARD MARSHACK, AND ADVERSARY PROCEEDING DEFENDANTS HAN
AND JAYDE TRINH**

1 proceeding defendants Han Trinh and Jayde Trinh, by their counsel of record, and finding good
2 cause, hereby ORDERS:

3 1. The Stipulation is APPROVED. Han Trinh and Jayde Trinh are dismissed, without
4 prejudice, from this adversary proceeding 8:23-ap-01046-SC. Each party shall bear their own
5 attorneys' fees and costs.

6 2. To the extent that Han Trinh and Jayde Trinh have been subject to the Preliminary
7 Injunction that is page 7, line 1, through page 9, line 23, of Dk. 70, which is the Order on Trustee
8 Richard Marshack's Omnibus Motion, entered June 23, 2023 in this adversary proceeding, Han
9 Trinh and Jayde Trinh shall remain bound by the Preliminary Injunction, notwithstanding their
10 dismissal, without prejudice, from this adversary proceeding. The Court shall retain jurisdiction to
11 enforce this Stipulation and the Preliminary Injunction [Dk. 70, page 7, line 1 through page 9, line
12 23].

13 **IT IS SO ORDERED.**

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23 Date: October 5, 2023

24 
25 Scott C. Clarkson
26 United States Bankruptcy Judge

27
28 **STIPULATED ORDER DISMISSING HAN AND JAYDE TRINH, WITHOUT PREJUDICE, FROM
ADVERSARY PROCEEDING 8:23-ap-01046-SC, BASED ON STIPULATION BETWEEN PLAINTIFF
CHAPTER 11 TRUSTEE, RICHARD MARSHACK, AND ADVERSARY PROCEEDING DEFENDANTS HAN
AND JAYDE TRINH**

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7 *Han Trinh and Jayde Trinh*

FILED & ENTERED

OCT 27 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA—SANTA ANA DIV.

8 In re

9
10 THE LITIGATION PRACTICE
11 GROUP, P.C.,

12 Debtor.

13 RICHARD A. MARSHACK, Chapter 11
14 Trustee,

15 Plaintiff,

16 v.

17 TONY DIAB, an individual; DANIEL S.
18 MARCH, an individual; ROSA BIANCA
19 LOLI, an individual; LISA COHEN, an
20 individual; WILLIAM TAYLOR CARSS,
21 an individual; ENG TAING, an individual;
22 HENG TAING, an Individual; MARIA
23 EEYA TAN, an individual; JAKE AKERS,
an individual; HAN TRINH, an
individual; JAYDE TRINH, an individual
[and 34 additional defendants]

24 Defendants.

Bankruptcy Case No. 8:23-bk-10571-
SC
Chapter 11
Adversary Proceeding no. 8:23-ap-
01046-SC

STIPULATED ORDER TO
DISMISS HAN AND JAYDE
TRINH, WITHOUT PREJUDICE,
FROM SECOND AMENDED
COMPLAINT OF TRUSTEE,
FILED 10/13/23 IN ADVERSARY
PROCEEDING 8:23-ap-01046-SC,
BASED ON STIPULATION
BETWEEN PLAINTIFF
CHAPTER 11 TRUSTEE,
RICHARD MARSHACK, AND
ADVERSARY PROCEEDING
DEFENDANTS HAN AND JAYDE
TRINH

[No hearing item]

1 The Court, having considered the Stipulation [Dk. 249] between Plaintiff
2 Chapter 11 Trustee Richard A. Marshack, and adversary proceeding defendants Han
3 Trinh and Jayde Trinh, and finding good cause, hereby ORDERS:

4 1. Han Trinh and Jayde Trinh are dismissed, without prejudice, from the
5 Second Amended Complaint, filed by Trustee on 10/13/23, in adversary proceeding
6 8:23-ap-01046-SC. Each party shall bear their own attorneys' fees and costs.

7 2. Han Trinh's name, and Jayde Trinh's name, shall be deleted from the
8 caption of Trustee's adversary proceeding 8:23-ap-01046-SC.

9 3. This Court's Order [Dk. 219] entered 10/5/23, orders that Han Trinh and
10 Jayde Trinh shall remain bound by the Preliminary Injunction that is page 7, line 1,
11 through page 9, line 23, of Dk.70, notwithstanding their dismissal, without prejudice,
12 from this adversary proceeding. The present dismissal does not affect this: Han Trinh
13 and Jayde Trinh shall continue to be bound by that Preliminary Injunction.

14 4. The Court shall retain jurisdiction to enforce this stipulation and the
15 Preliminary Injunction [Dk. 70, page 7, line 1 through page 9, line 23].

16 IT IS SO ORDERED.

17 Date: October 27, 2023

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Scott C. Clarkson
United States Bankruptcy Judge

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 10524 W. Pico Blvd., Ste. 212, Los Angeles, CA 90064

(1) A true and correct copy of the foregoing document entitled (specify): **OBJECTION OF HAN TRINH, JAYDE TRINH AND GREYSON LAW CENTER PC, TO COURT HAVING DECIDED TRUSTEE MARSHACK'S' MOTION [DK.816, FILED 1/5/24 AND SET FOR HEARING ON 1/19/24], WITHOUT ALLOWING HAN, JADE, & GREYSON TIME TO FILE OPPOSITION TO TRUSTEE'S MOTION, (WHEN TRUSTEE'S "STATUS REPORT" TO MOTION MAKES BLATANT FALSEHOODS REGARDING HAN AND JAYDE);**

(2) **REQUEST THAT COURT VACATE COURT'S 1/8/24 [DKT.818] ORDER, AS GRANTED PREMATURELY;**

(3) **REQUEST THAT COURT RE-DECIDE TRUSTEE'S MOTION, IN LIGHT OF THIS PLEADING, OPPOSING TRUSTEE'S MOTION; AND**

(4) **REQUEST THAT COURT STRIKE TRUSTEE'S "STATUS REPORT" [Dkt.815, FILED 1/5/24, WHICH STATES IT IS FOR HEARING ON 1/19/24 AT 11:00AM, AS AN UNAUTHORIZED PLEADING, WITH NO ADMISSIBLE EVIDENCE;**

DECLS OF HAN TRINH, PHUONG (AKA JAYDE) TRINH, & K.P. MARCH DECL. IN SUPPORT OF THIS OBJECTION/OPPOSITION

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 1/9/24, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See next page

Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:**

On (date) 1/9/24, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Litigation Practice Group P.C.
17542 17th St
Suite 100
Tustin, CA 92780

Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 1/9/24, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Scott Clarkson
411 West Fourth Street, Suite 5130
Santa Ana, CA 92701-4593

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

1/9/24
Date

Kathleen P. March
Printed Name

/s/ Kathleen P. March
Signature

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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